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IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION
AND PUNISHMENT OF THE CRIME OF APARTHEID

Reports submitted by States parties
under article VII of the Convention

Addendum

IRAQ

[28 December 1979]

Article 19 of the Constitution of Iraq provides that "All citizens shall be equal before the law, without distinction of any kind based on sex, race, language, social origin or religion."

Article 36 of the Constitution prohibits "Any activity that is at variance with the aims of the people as defined in the Constitution, and any act or conduct aimed at undermining the national unity of the masses of the people, provoking racial, sectarian or regional bigotry in their ranks, or violating their progressive gains and achievements."

These Constitutional provisions apply in respect of the acts specified in article 2 of the International Convention on the Suppression and Punishment of the Crime of Apartheid and in respect of similar policies and practices.

The Government of Iraq, which has acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid, considers apartheid a crime against humanity a flagrant violation of the principles of international law, and of the purposes and principles of the Charter of the United Nations in particular, and a serious threat to world peace and security. The Government of Iraq has taken the necessary measures to prevent any dealings in the political, economic and military spheres with the apartheid régime of South Africa, whether with its private or public organizations or institutions. It has also prevented any private or public Iraqi enterprise from maintaining trade relations with the South African régime.

Iraq unequivocally endorses the resolutions adopted by the General Assembly each year which condemn the crime of apartheid and the relations of different kinds maintained by certain countries with South Africa. Iraq has shown its support for

such condemnation through its participation in the debates on the question of apartheid which take place every year in the General Assembly and by voting in favour of the resolutions that are adopted on the subject.

Iraqi legislation includes, in the Penal Code, a number of provisions which prohibit the establishment of any kind of organization whose purpose is the commission or encouragement of racist acts or their promotion among the population of Iraq, and which establish penalties for such acts and practices.

Provisions of Iraqi legislation relating
to punishment of racial discrimination

Article 200, paragraph 2, of the Penal Code provides for "The punishment with imprisonment for a period not exceeding seven years of any person who incites to or promotes religious or sectarian bigotry, encourages conflict among the various religious sects and ethnic groups, or causes feelings of hatred and animosity among the people of Iraq."

Article 203 of the Penal Code also provides for "The punishment with imprisonment for a period not exceeding seven years or with imprisonment and a fine not exceeding ID 500 of any person who encourages, by providing financial, material or moral assistance, the commission of the acts referred to in article 200."

Article 204 provides for "The punishment with imprisonment for a period not exceeding 15 years of any person who establishes, organizes or manages in Iraq any society or organization whose aim is the commission of the acts referred to above."

The same article also provides for "The punishment with imprisonment for a period not exceeding 10 years of any person who joins any such society or organization."

Article 208 of the same Penal Code provides for "The punishment with imprisonment for a period not exceeding seven years or a fine not exceeding ID 500, or both, of any person who, with unlawful intent, possesses or acquires any book, publication or recording, intended for distribution, which encourages or promotes the acts referred to in articles 200 and 202." It also establishes the same punishment for any person who possesses any means of publication or recording that is used for the printing, recording or broadcasting of decisions, slogans or propaganda of any society or organization whose aim is the achievement of the objectives referred to in the preceding articles.

The Government of Iraq is taking appropriate measures to alert Iraqi public opinion to the practices of apartheid, which are considered a crime against humanity as a whole and a flagrant violation of human rights. Official Iraqi news media are also making sustained efforts to draw attention to the crimes of apartheid in South Africa and similar practices and racial policies in Rhodesia, as well as to the Zionist racial policy in occupied Palestine. Furthermore, the Iraqi mass media (radio, television, daily newspapers and weekly and monthly magazines) devote particular attention to exposing the evils of such racist practices by publishing reportages and articles, as well as by broadcasting relevant news bulletins.

The Iraqi information organs give prominence, through the holding of conferences, to the role played by the United Nations in combating the crime of apartheid and similar practices. By way of example, we may point to the interest shown by the Iraqi information organs in following the work of the United Nations conferences on racial discrimination held in 1977 and 1978 in Lagos and Geneva respectively, and in the Day of Solidarity with the people of Namibia who are fighting against the hostile policy of apartheid pursued by South Africa, as well as in the Day of World Solidarity with the People of South Africa.

Iraq fully supports the resolutions of the Security Council, the General Assembly, the specialized agencies and other United Nations bodies calling for the punishing and boycotting, both economically and militarily, of the régimes practising apartheid and racial discrimination. It calls for stronger action against such régimes.

Under Chapter VII of the Charter, in order to force them to put an end to the crime of apartheid and similar practices, and for the imposition of sanctions on any State which maintains economic, military or political relations with them.